1	CHARLES P. RETTIG, State Bar No. 97848 STEVEN TOSCHER, State Bar No. 91115				
2	AVRAM SALKIN, State Bar No. 30412 EDWARD M. ROBBINS, JR., State Bar no. 82696				
3	SHARYN M. FISK, State Bar No. 199898 Hochman Salkin Rettig Toscher & Perez, P.C.				
4	9150 Wilshire Boulevard, Suite 300 Beverly Hills, CA 90212				
5	Phone: 310/281-3200 Fax: 310/859-1430	DISTR			
6	E-Mail: sf@taxlitigator.com	STATES DISTRICT CO.			
7	JOSEPH P. RUSSONIELLO United States Attorney				
8	THOMAS M. NEWMAN Assistant United States Attorney	IT IS SO ORDERED A			
9	HENRY C. DARMSTADTER JAMES E. WEAVER	IT IS SO ORD			
10	STEVEN P. JOHNSON ADAM D. STRAIT	Judge James Ware			
11	Trial Attorneys, Tax Division U.S. Department of Justice				
12	P.O. Box 683, Ben Franklin Station Washington, DC 20044-0683	DISTRICT OF 7/1/2010			
13	Telephone: 202/307-6481 Facsimile: 202/307-0054	DISTRICT			
14	E-Mail: henry.c.darmstadter@usdoj.gov				
15	UNITED STATES DISTRICT COURT				
16	FOR THE NORTHERN DISTRICT OF CALIFORNIA				
17	SANTA CLARA VALLEY HOUSING) GROUP, INC. and KRISTEN M.)	Case No. 08-cv-05097-JW			
18	BOWES,	THIRD, SITIPULATION AND [PAOPUSED] ORDER TO EXTEND			
19	Plaintiffs,)	THE DISCOVERY PERIOD AND OTHER PRETRIAL DATES			
20	V.)				
21	UNITED STATES OF AMERICA,				
22	Defendant.				
23		I ((GCMICIN) IV.			
24	Plaintiffs Santa Clara Valley Housing Group, Inc. ("SCVHG") and Kristen M. Bowes				
25	(collectively, "Plaintiffs"), and Defendant the United States of America ("United States"), by and				
26	through their counsel, pursuant to Civil Local Rule 6-2, jointly stipulate that the discovery period				
27	and other pretrial dates established by the Court in its Order to Extend the Discovery Period and				
28	Other Pretrial Dates (docket entry #30) should be extended for an additional forty-five (45) day				
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period in order to provide the parties with sufficient time to complete fact and expert discovery.

This income tax refund suit is the first SC2 tax transaction to be litigated in the Federal District Court. As a significant case of first impression, this action requires substantial additional fact discovery to prepare the matter for trial. In addition, both parties believe it is advisable to conduct further fact discovery before the designation of expert witnesses.

During the discovery period to date, the parties have exchanged (or received from third parties) thousands of pages of documents and have taken numerous oral depositions throughout the State of California as well as in Arizona, Illinois and Washington, D.C.

In the next several months, the United States anticipates taking additional oral depositions of current or former KPMG employees and other individuals and entities involved in the subject transaction. The Plaintiffs also intend to take additional oral depositions of other individuals and entities involved in the subject transaction. Both parties intend to designate experts in this action and anticipate filing dispositive motions at the close of discovery.

Therefore, the parties jointly stipulate and request that the Case Schedule should be modified as follows:

Deadline to Designate Expert Witnesses: August 23, 2010

Preliminary Pretrial and Trial Conference

Statement and Proposed Pretrial Order Due: September 10, 2010

Preliminary Pretrial Conference: September 20, 2010, 11:00 a.m.

Close of Fact Discovery October 15, 2010

Disclosure of Rebuttal Experts: October 22, 2010

Close of Expert Discovery December 15, 2010

Deadline to file and serve Notice of Motion to Exclude expert testimony or portion

thereof: January 11, 2011

Deadline to file dispositive motions: January 11, 2011

Deadline to file responses to dispositive motions: February 11, 2011

Last date for hearing dispositive motions: March 21, 2011at 9:00 AM Respectfully submitted this 29th day of June, 2010. JOSEPH P. RUSSONIELLO United States Attorney THOMAS M. NEWMAN Assistant United States Attorney Society P. RUSSONIELLO HOCHMAN, SALKIN, RETTIG, TOSCHER	1	Deadline to file replies to responses to dispositive motions:		March 11, 2011		
Respectfully submitted this 29th day of June, 2010. TOSEPH P. RUSSONIELLO United States Attorney & PEREZ, P.C.		Last date for hearing dispositive motions:		March 21, 2011 at 9:00 AM		
JOSEPH P. RUSSONIELLO HOCHMAN, SALKIN, RETTIG, TOSCHER & PEREZ, P.C. THOMAS M. NEWMAN Assistant United States Attorney STEVEN TOSCHER AVRAM SALKIN STEVEN TOSCHER AVRAM SALKIN EDWARD M. ROBBINS, JR. STEVEN P. JOHNSON HOCHMAN, SALKIN, RETTIG, TOSCHER AVRAM SALKIN STEVEN TOSCHER AVRAM SALKIN EDWARD M. ROBBINS, JR. SHARYN M. FISK SHARYN M. FISK Hochman, Salkin, Rettig, Toscher & Perez, P. 9150 Wilshire Boulevard, Suite 300 Beverly Hills, CA 90212-3414 12 U.S. Department of Justice Telephone: 310/281-3200 Facsimile: 310/281-1430 Rettig dixalitigator.com Toscher@taxlitigator.com Toscher@taxlitigator.com Toscher@taxlitigator.com Salkin@taxlitigator.com Robbins@taxlitigator.com Fisk@taxlitigator.com Attorneys for Defendant United States Attorneys for Plaintiffs Bowes and Santa Clara Valley Housing Group PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July 2010 JAMES WARE NITED STATES DISTRICT JUDGE 300968.1 300968.1		Respectfully submitted this 29th day of June, 2010.				
6 United States Attorney THOMAS M. NEWMAN Assistant United States Attorney THOMAS M. NEWMAN Assistant United States Attorney THOMAS M. NEWMAN Assistant United States Attorney Steven Toscher	5	JOSEPH P. RUSSONIELLO	HOCHMAN, S	SALKIN, RETTIG, TOSCHER		
Assistant United States Attorney Solution CHARLES P. RETTIG STEVEN TOSCHER AVRAM SALKIN HENRY C. DARMSTADTER JAMES E. WEAVER STEVEN P. JOHNSON ADAM D. STRAIT Trial Attorneys, Tax Division U.S. Department of Justice P.O. Box 683, Ben Franklin Station Washington, D.C. 20044-0683 Telephone: 202/307-6481 Facsimile: 202/307-054 henry.c.darmstadter@usdoj.gov Attorneys for Defendant United States PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July 20		·	& PEREZ, P.C	2.		
Salamos Sala				RETTIG		
JAMES E. WEAVER STEVEN P. JOHNSON ADAM D. STRAIT Trial Attorneys, Tax Division U.S. Department of Justice P.O. Box 683, Ben Franklin Station Washington, D.C. 20044-0683 Telephone: 202/307-6481 Facsimile: 202/307-0054 henry.c.darmstadter@usdoj.gov Attorneys for Defendant United States PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July , 2010 JAMES E. WEAVER STEVEN P. JOHNSON ADAM D. STRAIT 9150 Wishire Boulevard, Suite 300 Beverly Hills, CA 90212-3414 Telephone: 310/281-3200 Facsimile: 310/28	9		AVRAM SAL	KIN		
ADAM D. STRAIT Trial Attorneys, Tax Division U.S. Department of Justice P.O. Box 683, Ben Franklin Station Washington, D.C. 20044-0683 Telephone: 202/307-6481 Telephone: 202/307-0054 henry.c.darmstadter@usdoj.gov Attorneys for Defendant United States PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July , 2010 ADAM D. STRAIT Trial Attorneys, Tax Division Beverly Hills, CA 90212-3414 Telephone: 310/281-1430 Rettig@taxlitigator.com Toscher@taxlitigator.com Robbins@taxlitigator.com Fisk@taxlitigator.com Attorneys for Plaintiffs Bowes and Santa Clara Valley Housing Group PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July , 2010 Dated this 1st day of July , 2010 Dated this 1st day of 300968.1	10	JAMES E. WEAVER	SHARYN M.	FISK		
12 U.S. Department of Justice P.O. Box 683, Ben Franklin Station Washington, D.C. 20044-0683 Telephone: 202/307-6481 Facsimile: 202/307-0054 Salkin@taxlitigator.com Toscher@taxlitigator.com Robbins@taxlitigator.com Fisk@taxlitigator.com Fisk@taxlitigator.com Attorneys for Defendant United States 15 Attorneys for Defendant United States 16 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. 17 This is a final continuance. 21 Dated this 1st_ day of July, 2010 22 Javanta day ofJuly, 2010 23 Javanta Clara Valley Housing Group 24 Javanta Clara Valley Housing Group 26 Javanta Clara Valley Housing Group 27 Javanta Clara Valley Housing Group	11	ADAM D. STRAIT	9150 Wilshire Boulevard, Suite 300			
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Attorneys for Defendant United States Attorneys for Plaintiffs Bowes and Santa Clara Valley Housing Group PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this 1st day of July , 2010 Dated this 1st District Judge NITED STATES DISTRICT JUDGE 300968.1		Facsimile: 202/307-0054				
Valley Housing Group Valley Housing Group PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. This is a final continuance. Dated this <u>1st</u> day of <u>July</u> , 2010 Dated this <u>1st</u> day of <u>July</u> , 2010 NITED STATES DISTRICT JUDGE 300968.1		Attorneys for Defendant United States				
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